

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

IAN FOLEY, Plaintiff, v. HUBBARD PIPE & SUPPLY, INC. Defendant.	Case No. 1:23-cv-01212-LJV
---	----------------------------

NOTICE OF DISMISSAL PURSUANT TO RULE 41(a)(1)

1. Whereas Plaintiff Ian Foley filed the above-referenced case against Defendant Hubbard Pipe & Supply, Inc. on November 21, 2023.

2. Whereas Defendant has not yet answered Plaintiff's Complaint, and thus dismissal is appropriate without Court order, pursuant to F.R.C.P. Rule 41(a)(1)(A)(i).

3. Accordingly, pursuant to F.R.C.P. Rule 41(a)(1)(A)(i), Plaintiff hereby dismisses his Complaint with prejudice.

Dated: February 20, 2024

Respectfully Submitted,

/s/ Benjamin Sweet

Benjamin J. Sweet

ben@nshmlaw.com

**NYE, STIRLING, HALE, MILLER &
SWEET, LLP**

1145 Bower Hill Road, Suite 104
Pittsburgh, PA 15243

Attorneys for Plaintiff Ian Foley

CERTIFICATE OF SERVICE

I, Benjamin J. Sweet, hereby certify that the foregoing document was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to non-registered participants this 20th day of February, 2024.

/s/ Benjamin J. Sweet
Benjamin J. Sweet